

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

vs.

NO:4:07CR00109 SWW

CORNELIUS SPENCER

DEFENDANT

ORDER

Pending before the Court is the Defendant's oral motion pursuant to 18 U.S.C. §§ 4241 and 4242, seeking a determination of the Defendant's competency to stand trial, and at the time of the alleged offense. The Defendant having given notice of an intention to rely on the defense of insanity, it is therefore ordered:

(1) That, pursuant to 18 U.S.C. § 4247(b) and (c), defendant Spencer is hereby committed to the custody of the Attorney General or his authorized representative for a period not to exceed thirty (30) days for a psychiatric examination pursuant to § 4241 and for a period not to exceed forty-five (45)<sup>1</sup> days for a psychiatric examination pursuant to 18 U.S.C. § 4242.

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<sup>1</sup> The examination period herein shall commence on the date of arrival of the defendant at the assigned Federal medical facility.

(2) That, pursuant to 18 U.S.C. § 4247(c), the facility conducting such examination shall file a report of same with this Court with copies to counsel for the Defendant and the attorney for the government.

(3) That the Defendant remain in custody of the United States Marshal or his designated representative and be transported to the facility as soon as possible.

(4) That any delay in commencing the trial of this case occasioned by the examination ordered herein shall be excludable under the provisions of the Speedy Trial Act as provided by 18 U.S.C. § 3161(h)(1)(A).

IT IS SO ORDERED this 1<sup>st</sup> day of May, 2007.

  
UNITED STATES MAGISTRATE JUDGE

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